

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

2005 APR 25 PM 3:52

WENDOLYN C. PETTIES,)
as Administratrix of the estate of)
EFFIE J. WOOTEN, deceased, and)
on behalf of the wrongful death)
beneficiaries of EFFIE J. WOOTEN,)

Plaintiff,)

v.)

NO. 04-2996

KINDRED HEALTHCARE, INC.)
d/b/a PRIMACY HEALTHCARE AND)
REHABILITATION CENTER, et al.,)

Defendants.)

ORDER SETTING SCHEDULING CONFERENCE

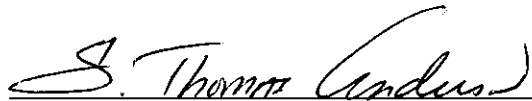
On March 3, 2005 the Court set a Scheduling Conference in this matter for March 23, 2005. As part of the Notice of Setting for this Scheduling Conference, the parties were required to submit a proposed Scheduling Order no later than March 15, 2005. The parties' initial proposed Scheduling Order did not comply with the model order supplied with the Notice of Setting; therefore, the undersigned's staff informed the parties they would need to resubmit the proposed Scheduling Order.

The parties then filed a Revised Joint Proposed Scheduling Order with the Court. After review, the Court concludes that this proposed Scheduling Order does not comply with the model order supplied with the Notice of Setting. Specifically, the Revised Order proposes that the Court stay discovery and also discusses alternative dispute resolution. As such, because the

parties have not complied with the model Scheduling Order, the Court orders that the parties shall appear before the Court for a Scheduling Conference.

Therefore, it is **ORDERED** that a Scheduling Conference be held before United States Magistrate Judge S. Thomas Anderson on **THURSDAY, MAY 5, 2005 at 2:00 P.M.** in Courtroom M-3, 9th Floor, Federal Building, Memphis, Tennessee. Out of town counsel are permitted to attend the Scheduling Conference via telephone, if counsel notifies the Magistrate Judge's chambers of their desire to appear by telephone at least 48 hours prior to the Scheduling Conference.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: April 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 28 in case 2:04-CV-02996 was distributed by fax, mail, or direct printing on April 26, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT